

INDIANAPOLIS-MARION COUNTY LAW ENFORCEMENT CONSOLIDATION  
COMMITTEE

DATE: July 25, 2005

LOCATION: Fraternal Order of Police Lodge

CALLED TO ORDER: 5:00 p.m.

ADJOURNED: 6:58 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman  
Lonnell Conley  
Dane Mahern  
Lynn McWhirter  
William Oliver  
Marilyn Pfisterer  
Joanne Sanders

Absent Members

Ron Gibson  
Lincoln Plowman

AGENDA

**Public Hearing and testimony before the Indianapolis Marion County Law Enforcement Consolidation Committee regarding potential merger of Public Safety Agencies in Marion County.**

## **INDIANAPOLIS-MARION COUNTY LAW ENFORCEMENT CONSOLIDATION COMMITTEE**

The Indianapolis-Marion County Law Enforcement Consolidation Committee of the City-County Council met on Monday, July 25, 2005 at the Fraternal Order of Police Lodge. Chairwoman Mary Moriarty Adams called the meeting to order at 5:00 p.m. with the following members present: Lonnell Conley, Dane Mahern, Lynn McWhirter, William Oliver, Marilyn Pfisterer, and Joanne Sanders. Absent were Ron Gibson and Lincoln Plowman. Also present were Steve Talley, President of the Council, and Bart Brown, the Chief Financial Officer of the Council.

Chairwoman Moriarty Adams thanked everyone for attending the public hearing regarding potential law enforcement consolidation. She asked anyone that was interested in speaking to please sign in with Jean Milharcic. She said that the committee would not address any questions at this time. However, there are comment cards available for those who would like to submit questions, and they will be answered at a later time.

Mark Miller, Louisville, Kentucky Fraternal Order of Police, (FOP) stated that the Louisville police departments went through a departmental merger two years ago. There were issues that came up in Louisville in 1997, and then there were six years of planning before a consolidation. There are several things that need to be understood before traveling down the road of consolidation. A departmental merger will not result in lower crime or enhanced police performance. A departmental merger does not become more efficient in the form of police services, and there is no positive relationship between merged police departments and crime reduction. Mr. Miller stated that there are many preliminary pre-merger considerations. First, the public, sworn personnel, and civilian personnel should be surveyed. The committee must analyze police service statistics to determine where the need is and where the want is. They must research the jurisdictions of other merged police forces. Mr. Miller said the concerned parties should ask tough questions and demand detailed answers. He said that a merger will not result in cost savings. The legislators should anticipate, budget, and become fiscally responsible for the start-up costs of a merger. There are specific merger issues that will have to be carefully addressed. These include department structure (what it will look like and who is going to run the department); equalization of wages, hours and working conditions; and also contracts, training issues, and job assignments. Other very important issues include insurance and social security participation. In Louisville and Jefferson County, the social security administration said the county officer had to stay in social security, while the city officer had the option of joining in or getting a congressional amendment for a divided referendum. Mr. Miller advised the committee to pay close attention to state grants, because most of them are agency specific. He said the committee must create a pre-consolidation plan that will be specific and have stages, because it will not happen overnight. Officers should be allowed to have input on the uniforms and badges. In Louisville, there was no initial re-assignment of personnel outside of their formal jurisdictions. It was not until one year and eleven months later that the cross-training started,

which involved implementing one set of guidelines for the merged departments. Mr. Miller said that he is not advocating one thing or another but is here to say that these things need to be studied and finished before the clock strikes midnight. He said a consolidation can be done, but the committee must see if it is right for Indianapolis and Marion County.

Councillor Sanders asked Mr. Miller what his role is in the Metro Police Department. Mr. Miller said he is with the FOP that represents a single union that has two bargaining units.

Councillor Conley asked if Mr. Miller feels that the merger in Louisville was a rushed process. Mr. Miller stated that things should have been phased in over a period of time. He said the FOP had submitted a three-year plan that would have begun by integrating and centralizing command, then broke down the middle management section. After a consolidated policy and procedure was in place, then they should have merged the specialized and investigation units. Lastly, the street patrol should have been merged. Councillor Conley asked if the Chief of Police in Louisville answers to a commission. Mr. Miller stated that the Chief answers directly to the Mayor, and there is no commission. He added that the Deputy Sheriff still answers to the Sheriff.

Councillor McWhirter asked what was attributed to the Louisville's budget going from \$90 million to \$135 million. Mr. Miller said that he is not sure what it is attributed to, other than there is a cost to merging the two departments. Councillor McWhirter stated that she was under the impression that if there was a merger a new department would be created and social security could be exempt. Mr. Miller stated that they received their information from the State Social Security Administration and it stated that the county officers had to stay in social security. The city officers had the option of joining or they could get a congressional amendment and have a divided referendum. Any newly hired officer had to go in without any options. Councillor McWhirter asked if the delay in changing the uniforms, cars, and patches caused any detriment to the officers' morale. Mr. Miller answered in the affirmative, and added that there continues to be a "We" and "They" mentality. But in time this mentality will change. He said there was a huge increase in people leaving because they did not want to accept the change in policy and procedure.

Councillor Pfisterer asked if the 1998 budget was \$90 million. Mr. Miller answered in the affirmative. Councillor Pfisterer stated that from what she understands, the Louisville merger is not working and asked after six years of planning, what went wrong. Mr. Miller said a merger is a great thing if properly planned. The recommendations were there but they were not implemented and phased in.

Chairwoman Moriarty Adams asked if there was any financial need to do a merger in Louisville. Mr. Miller answered in the negative. He said that one government unit had a \$13,000 reserve fund balance that was not dedicated or earmarked, and the other government unit had \$49 million. Chairwoman Moriarty Adams asked if the FOP had a position on consolidation prior

to the merger. Mr. Miller said that the county FOP was against a merger. The city FOP was for consolidation primarily because they saw their salaries going up.

Councillor Oliver asked if there is an issue on diversity in the work place. Mr. Miller said that the department operates under a consent decree. He said the problem is that 10 years ago, the two departments had 33 applicants for police officer positions, one year ago, they had 300 applicants.

Councillor Sanders asked Mr. Miller what category of law he practices. Mr. Miller said that he practices Employment Law. Councillor Sanders asked Mr. Miller if his salary decreased because of negotiating the FOP contracts. Mr. Miller said that the merger has caused his income to increase.

Steve Staletovich, IPD, stated that this committee should slow down the process and ask the officers of both departments for their input. He said that cops do not like change, but they are open-minded and understand that sometime change is inevitable. It would be beneficial to involve the officers in the process.

Jim Polly, citizen, stated that he is concerned about the waiver dealing with the COPS grant and how the city would keep most of the COPS grant positions. There is no talk of adding more officers on the streets. Based on that information, it looks as though this waiver would reduce the IPD baseline and there will not be many officers to take runs and support the officers on the streets. Mr. Polly said that another concern is that if there is a consolidation and 200 IPD officers are moved from the city to the suburbs, this will cause a public safety crisis.

Connie Milligan, Retired MCSD, stated that the Mayor should spend more time trying to get money for the fire and police departments than he has spent trying to get money for the Colts. She said that there are a lot of people that owe back taxes and they should be made to pay.

Harry Rose, citizen, stated that this committee should look at Columbus, Ohio and see what they have done with their police department, as well as what they are doing to make money for their city.

Reverend Fitz Hugh Lee Lyons, Sr., Galilee Baptist Church, stated that he is concerned about the safety and the morale of the officers. He said that these officers have a very important job to do and they should be involved with this consolidation.

Rich Snyder, MCSD Detective Sergeant, stated that of the Mayor's alleged \$8.8 million that will be saved, \$1.3 million is due to removing MCSD from social security. Mr. Miller has stated that legally that cannot happen. The Mayor's Plan does not show any costs of implementing his plan. Mr. Snyder said that there were members on this committee that showed interest in Mr. Miller's income. He said that he hopes these members show the same interest in the effect of

consolidation on MCSD's income. He said that the Peterson Plan is long on promises and short on details and the details are the most important part of this consolidation.

Kathleen Kindred, Garfield Neighborhood Association, stated that her concern is how a consolidation would maintain the current coverage. Another concern would be the cost of information technology if there were a merger.

Robert Yahara, citizen, said that the Mayor has worked very hard to keep the Colts and the Pacers here in the city, but there are two other teams that are very critical to the city and that is IPD and MCSD. These men and women put their lives on the line to support the citizens and keep them safe. He said that the Mayor and the Council should make every effort to keep these two teams fighting the bad guys.

President Talley stated that the Council wants to make sure the FOP is a part of any plan that may take place regarding a consolidation. He said that there is no plan at this time and there will not be a plan unless the committee decides to move forward. At that time, the Council will make sure the people who are affected by the consolidation will have some input into the plan. He said that there will be fact-finding trips to Louisville, Kentucky and to Nashville Tennessee. On August 17, 2005 there will be an interim report given from the consultants that are working with the numbers. After that, there will be a vote as to whether to move forward with a consolidation.

Steve Davis, Retired MCSD said that he does not think any officer, city or county, signed onto the departments for the paycheck, social security, or to join the FOP. He said they signed up to serve the community, save lives, and put the bad guys in jail. Now this committee is on the verge of improving or degrading the community. He said that a consolidation with IPD and MCSD will destroy the reason why these officers signed up, and will force them to think about paychecks and social security, rather than the true desire to go out and save lives. Mr. Davis said that if this consolidation is about money, then fix the money. A recommendation would be to change the boundaries for IPD and MCSD. There are pension problems that could possibly generate some funds without destroying two wonderful departments.

Rob Challis, MCSD, stated that he has not heard anyone at any of the consolidation meetings that is not employed by the Mayor speak in favor of the consolidation. He asked if the police and public are not in favor of a merger, why is there any consideration at all. Mr. Challis said that the facts were given and Louisville did their consolidation two years and seven months ago, and it is still not right. This Council plans to do a consolidation in six months. He said anyone that thinks that a consolidation can be done in six months and be efficient is a fool.

Vince Huber, President of the FOP, stated that there are still a lot of questions that they still are waiting for answers. There are still a lot of issues that need to be discussed. He asked if the committee would slow down and include the people who are most affected by this decision. He

asked if there is a plan different from the IndyWorks plan, if it can be made available to everyone involved in this possible consolidation.

President Talley stated there are no plans as of yet. When the votes are cast and the outcome is to move forward with consolidation, then a plan will be drafted and will go through the normal proposal process. President Talley stated that the Council will make that determination not the Mayor.

Councillor Conley said that everyone should understand that this possible consolidation is an ongoing process and this committee will not rush through anything. He said the committee is in the gathering-information stage of this process to determine if a consolidation is feasible.

Mr. Miller stated that when Louisville did their merger, there was an increase in voluntary resignations and more retirements. There were critical personnel shortages, which resulted in officers working in unsafe levels in Metro Louisville. He asked the committee to please involve the officers, as they should be given the chance to give input into this process.

Fran Ashton, citizen, stated that the biggest problem that this council is going to face has to do with accountability, not of the officers on the street level, but in higher management. She said that what scares her about the proposed plan is that while reducing the number of officers, this plan would increase the number of people on the different boards. And when this is done, it is easier to put the blame on someone else. Ms. Ashton said that there is a simple thing that can be done to generate more money. IPD has 19 captains. If the merit rank of captains is eliminated through a reduction in force this will result in approximately \$1.5 million saved in salaries and vehicles. This total does not include insurance and benefits.

{Clerk's note: Ms. Ashton read a document that is on file in the Council Office with the original set of minutes.}

Reverend Pamela M. Pinkney, citizen, stated she has concerns about this possible consolidation and is not in favor of it. She said that she looks forward to some amendments being a part of this proposed plan.

Councillor Scott Keller said that this should not be a rushed process and it should also be a bi-partisan vote. He said that this process should take longer than the smoking ordinance.

Councillor Conley repeated that this would not be a rushed process. The reason for doing the fact-finding mission is to get all the details necessary to make a decision on whether or not to move forward.

Chairwoman Moriarty Adams thanked the FOP for hosting this meeting, and thanked IPD and MCSD for all that they do in and around the communities.

Indianapolis/Marion County Law Enforcement Consolidation Committee  
July 25, 2005  
Page 6

CONCLUSION

With no further business pending, and upon motion duly made, the Indianapolis-Marion County Law Enforcement Consolidation Committee of the City-County Council was adjourned at 6:58 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman  
Public Safety and Criminal Justice Committee

MMA/rjp